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RECEIVED

MAY 25 2006

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

CR 06-00301 JW

Plaintiff,

vs.

**STIPULATION AND
 PROPOSED ORDER
 RESCHEDULING
 PRETRIAL and SETTING
 DISPOSITION DATE**

ROBERT RAY BOYD,

Defendant.

TO THE HONORABLE JAMES WARE:

Defendant Robert Ray Boyd, through his counsel, Mary Elizabeth Conn, moves that the Defendant's Pretrial and setting disposition hearing currently scheduled for Monday, June 19, 2006, at 1:30 p.m. be vacated and a new sentencing hearing date of Monday, July 24, 2006, at 1:30 p.m. be set, based on the grounds that undersigned counsel for Defendant is set on that same day at 9 a.m. for jury trial in Santa Cruz County Superior Court in the matter of Kentay O. Broadnax, Cause Numbers M31873 and M 31887. Said jury trial is not expected to be completed in time for counsel to appear at 1:30 p.m. that same day's afternoon.

Counsel has traded telephone messages with AUSA Jeffrey Nedrow, who does not object to this Motion and concurs with the date selected.

Dated: May 23, 2006

MARY E. CONN & ASSOCIATES


 Mary Elizabeth Conn,
 Attorney for Defendant Robert Ray Boyd

1
2 IT IS SO ORDERED that the hearing previously set for 1:30 p.m. on the 19th
3 day of June, 2006, is vacated and the date of the ^{11th of September} 24th of July, 2006, at 1:30 p.m. is set.

4 Date:

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THE HONORABLE JAMES WARE

PROOF OF SERVICE

C.C.P. § 1013(a) and 2015.5

I declare as follows:

I am employed in the County of Santa Cruz, California; I am over the age of eighteen (18), and not a party to the within action; my business address is: 55 River Street Suite 100, Santa Cruz, CA 95060. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service.

On May 24, 2006, following ordinary business practice, I served a true copy with all exhibits, of the following document(s):

**STIPULATION AND PROPOSED ORDER RESCHEDULING PRETRIAL and
SETTING DISPOSITION DATE**

☒ [X] [BY FAX] by transmitting a true copy via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m. (408) 535-5066

☒ [X] [BY U.S. POSTAL SERVICE] I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Santa Cruz, California addressed as follows:

Jeff Nedrow , AUSA
United States Attorney's Office
150 Almaden Blvd., Suite 900
San Jose CA 95113

☐ [] [BY PERSONAL SERVICE] I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).

☐ [] [BY OVERNIGHT DELIVERY] I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 24, 2006 at Santa Cruz, California.


Rena M. See

PROOF OF SERVICE